

REMARKS

Favorable reconsideration of the subject application is respectfully requested in view of the above amendments and the following remarks. Following the above amendments, claims 9 and 11-21 are pending, with claims 9 and 17 being in independent format.

Claim 10 has been cancelled and claims 17-21 have been added. Newly added independent claim 17 is drawn to the subject matter of dependent claim 13. Newly added claims 18-20 depend from claim 17 and mirror the language of claims 11, 15 and 16, respectively. Newly added claim 21 depends from claim 9 and is drawn to the subject matter originally recited in cancelled claim 2. Support for claim 21 can be found, for example, in originally filed claim 2 and in paragraph [0018] of the published application.

Claim 9 has been amended to clarify the language of the claim and to clarify that the stamp is displaceable in both a forward direction and backward direction. Support for this amendment can be found, for example, in paragraphs [0008] and [0019] of the published application. Claim 14 has been amended to depend on newly added claim 17 and to correct minor typographical errors.

It is urged that support for all the above amendments may be found throughout the specification, claims and drawings as originally filed, and that none of the amendments constitute new matter or raise new issues for consideration.

Claim Rejections under 35 USC §102(b)

Claims 9, 10, 12 and 15 stand rejected under 35 USC §102(b) as being anticipated by US Patent 3,215,320 to Heisler et al. ("Heisler et al."). This rejection is respectfully traversed.

Heisler et al. disclose a device for dispensing material from a container, the device including a container and a pusher rod 40 provided within the container. Once the container is empty, both the container and the pusher rod are disposed of. A pusher member or piston 52 is mounted on, and displaceable along the pusher rod. The piston can only be moved in a forward direction, i.e. in the direction required to dispense material from the container (see, col. 3, lines 36-43).

In contrast, the presently pending claims are drawn to a reusable cartridge gun for use with a disposable cartridge or container. As clearly recited in amended independent claim 9, the

cartridge gun comprises, in part, a cartridge holder, a plurality of resilient gripping elements integrated with the cartridge holder, and a stamp provided on a front end of a displaceable piston rod, wherein the stamp is displaceable in both a forward and a backward direction. The piston rod is moveable between a completely retracted position (shown in Figs. 2-4) in which the stamp is in the area of the cartridge holder, and an advanced position (shown in Fig. 1) in which the stamp is in a forward position distant to the cartridge holder. As described in paragraph [0008] of the published application, when a disposable cartridge is inserted in the cartridge holder, the gripping elements engage the inside wall of the cartridge, thereby holding the cartridge in the housing. As recited in claim 9, when the piston rod and the stamp are moved backwards into a fully retracted position, the stamp presses the ends of the gripping elements towards the housing. This detaches the ends of the gripping elements from the wall of the cartridge and allows the cartridge to be easily removed.

Heisler et al. do not teach or suggest a device having a stamp that is displaceable in both a forward and backward direction. Nor do they teach or suggest a device having a stamp that presses against, and therefore detaches, gripping elements when the stamp is in a fully retracted position.

The Examiner asserts that the piston of Heisler et al. presses "the gripping elements 78 via elements 64, 75". Applicants respectfully disagree. As shown in Figs. 3 and 5 of Heisler et al., part 73 has elements 75 and 78 which are angled in a different direction compared to the extension of the pushing rod. If the piston 52 does press on part 65, the elements 75 prevent part 65 from moving nearer to elements 78. These elements of Heisler et al.'s device act to prevent movement of the piston backwards when the piston rod is displaced backwards.

It is urged that, for at least the reasons discussed above, Heisler et al. do not teach or suggest the subject matter of amended independent claim 9, and that the rejection of claim 9 and dependent claims 12, 15 and 21 can thus be properly withdrawn.

Claim Rejections under 35 USC §103

Claim 11 stands rejected under 35 USC §103 as being unpatentable over Heisler et al. Specifically, the Examiner asserts that it would be obvious to use spring steel for the gripping elements. This rejection is respectfully traversed.

Claim 11 depends from, and therefore includes all the limitations of, claim 9. The disclosure of Heisler et al. as it relates to independent claim 9 is discussed above.

Applicants submit that, for at least the reasons discussed above with respect to claim 9, Heisler et al. would not have rendered the subject matter of claim 11 obvious to one of skill in the art at the time the present invention was made, and that the rejection of claim 11 under 35 USC §103 can thus be withdrawn.

Claim 16 stands rejected under 35 USC §103 as being unpatentable over Heisler et al. in view of US Patent 4,838,461 to Santerelli ("Santerelli"). Specifically, the Examiner asserts that Santerelli teaches a cartridge gun including a housing made from plastic. This rejection is respectfully traversed.

Claim 16 depends from, and therefore includes all the limitations of, independent claim 9. Santerelli does not overcome the deficiencies of Heisler et al. discussed above with respect to independent claim 9.

Applicants submit that neither Heisler et al. nor Santerelli, taken either separately or in combination, would have rendered the presently claimed subject matter obvious to one of skill in the art at the time the present invention was made, and that the rejection of claim 16 under 35 USC §103 should therefore be withdrawn.

Allowable Subject Matter

The Examiner indicated that claims 13 and 14 would be allowable if rewritten in independent form. As discussed above, newly added independent claim 17 recites the subject matter previously recited in claim 13, and claim 14 has been amended to depend from claim 17. Applicant submits that claims 14 and 17-20 should therefore be allowed.

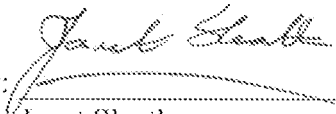
Concluding Remarks

A Request for a One Month Extension of Time, extending the deadline for responding to the Office Action to October 21, 2011, is submitted herewith.

Application No.: 10/599,814
Amendment dated October 11, 2011
Reply to Office Action of June 21, 2011

Every effort has been made to put the claims in condition for allowance. Early reconsideration and allowance of the pending claims is respectfully requested. Should the Examiner have any questions or concerns regarding the application, he is respectfully invited to telephone the undersigned at (206)382.1191.

Respectfully submitted,

By: 
Janet Sleath
Registration No. 37,007

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SPECKMAN LAW GROUP PLLC

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